

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

DEFENDERS OF WILDLIFE, and)	Cause No. CV-15-14-GF-BMM
NATURAL RESOURCE DEFENSE)	
COUNCIL,)	
Plaintiffs,)	
)	
vs.)	
)	
UNITED STATES ARMY CORPS)	
OF ENGINEERS; UNITED STATES)	JUDGMENT IN A CIVIL CASE
BUREAU OF RECLAMATION; and)	
UNITED STATES FISH AND)	
WILDLIFE SERVICE,)	
Defendants.)	
and)	
)	
LOWER YELLOWSTONE)	
IRRIGATION PROJECT BOARD)	
OF CONTROL; SAVAGE)	
IRRIGATION DISTRICT; and,)	
INTAKE IRRIGATION DISTRICT,)	
)	
Defendant-Intervenors.)	

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came before the Court for bench trial, hearing or determination on the record. A decision has been rendered.

IT IS ORDERED AND ADJUDGED :

Plaintiff's Motion for Summary Judgment (Doc. 172) on Claims 11-14 is
DENIED;

Federal Defendants'/Intervenor Defendants' Cross-Motions for Summary
Judgment (Docs. 180 & 178) on Claims 11-14 are GRANTED;

Plaintiff's request that the Court order the Bureau to finalize a plan to bring
its operation at Intake Dam into compliance with the ESA (Claims 4 & 5) is
DISMISSED WITHOUT PREJUDICE; and,

Plaintiff's request that the Court order the Corps to finalize a plan to bring
its operation of Fort Peck Dam into compliance with the ESA (Claims 1 & 2) has
been rendered moot and thereby is DISMISSED WITHOUT PREJUDICE.

DATED this 23rd day of July, 2018.

TYLER P. GILMAN, CLERK OF COURT

By: /s/ S. Redding
Deputy Clerk